

MESSAGE NO: 3246111 MESSAGE DATE: 09/03/1993

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: ORD-Order PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-462-302, A-464-202

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 08/30/1993 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: NOTICE OF ANTIDUMPING DUTY ORDER; URANIUM FROM UKRAINE AND
TERMINATION OF INVESTIGATION; URANIUM FROM TAJIKISTAN

MESSAGE NO: 3246111

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CASES: A - 462 - 302

A - 464 - 202

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PERIOD COVERED: 08 30 1993 TO

LIQ SUSPENSION DATE:

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS
DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: NOTICE OF ANTIDUMPING DUTY ORDER; URANIUM FROM
UKRAINE AND TERMINATION OF INVESTIGATION;
URANIUM FROM TAJIKISTAN

1. THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER
ON JULY 8, 1993, NOTICE OF ITS FINAL DETERMINATION OF SALES AT
LESS THAN FAIR VALUE REGARDING URANIUM FROM UKRAINE AND
TAJIKISTAN.

2. ON AUGUST 16, 1993, THE INTERNATIONAL TRADE COMMISSION (ITC)
NOTIFIED THE DEPARTMENT OF COMMERCE OF ITS DETERMINATIONS THAT
IMPORTS OF URANIUM, OTHER THAN HIGHLY ENRICHED URANIUM (HEU),
FROM UKRAINE ARE THREATENING TO MATERIALLY INJURE A U.S.

INDUSTRY, BUT THAT IMPORTS OF URANIUM FROM TAJIKISTAN ARE NOT MATERIALLY INJURING A U.S. INDUSTRY. AS A RESULT, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ON AUGUST 30, 1993, NOTICE OF ITS ANTIDUMPING DUTY ORDER ON URANIUM, OTHER THAN HEU, FROM UKRAINE, AND TERMINATION OF INVESTIGATION OF URANIUM FROM TAJIKISTAN.

3. THE MERCHANDISE COVERED BY THESE INVESTIGATIONS INCLUDES NATURAL URANIUM IN THE FORM OF URANIUM ORES AND CONCENTRATES; NATURAL URANIUM METAL AND NATURAL URANIUM COMPOUNDS; ALLOYS, DISPERSIONS (INCLUDING CERMETS), CERAMIC PRODUCTS AND MIXTURES CONTAINING NATURAL URANIUM OR NATURAL URANIUM COMPOUNDS; URANIUM

ENRICHED IN U235 AND ITS COMPOUNDS; ALLOYS, DISPERSIONS (INCLUDING CERMETS), CERAMIC PRODUCTS, AND MIXTURES CONTAINING URANIUM ENRICHED IN U235 OR COMPOUNDS OF URANIUM ENRICHED IN U235. LOW ENRICHED URANIUM (LEU) IS INCLUDED WITHIN THE SCOPE OF THIS ORDER; HEU IS NOT.

LEU IS URANIUM ENRICHED IN U235 TO A LEVEL OF UP TO 20 PERCENT, WHILE HEU IS URANIUM ENRICHED IN U235 TO A LEVEL OF 20 PERCENT OR MORE. THE URANIUM SUBJECT TO THESE INVESTIGATIONS IS PROVIDED FOR UNDER SUBHEADINGS 2612.10.0000, 2844.10.1000, 2844.10.2010, 2844.10.2025, 2844.10.2050, 2844.10.2055, 2844.10.5000, 2844.20.0010, 2844.20.0020, 2844.20.0030, AND 2844.20.0050, OF THE HARMONIZED TARIFF SCHEDULE (HTS).

SINCE THE PRELIMINARY DETERMINATION, THE DEPARTMENT HAS CLARIFIED THE SCOPE OF THIS INVESTIGATION. "MILLING" OR "CONVERSION" PERFORMED IN A THIRD COUNTRY DOES NOT CHANGE THE COUNTRY OF ORIGIN FOR PURPOSES OF THIS ORDER. MILLING CONSISTS OF PROCESSING URANIUM ORE INTO URANIUM CONCENTRATE. CONVERSION CONSISTS OF TRANSFORMING URANIUM CONCENTRATE INTO NATURAL URANIUM

HEXAFLUORIDE (UF₆). SINCE MILLING OR CONVERSION DOES NOT CHANGE THE COUNTRY OF ORIGIN, URANIUM ORE OR CONCENTRATE OF UKRAINIAN ORIGIN THAT IS SUBSEQUENTLY MILLED AND/OR CONVERTED IN A THIRD COUNTRY WILL STILL BE CONSIDERED OF UKRAINIAN ORIGIN AND SUBJECT TO ANTIDUMPING DUTIES. THE DEPARTMENT CONTINUES TO REGARD

ENRICHMENT OF URANIUM AS CONFERRING COUNTRY OF ORIGIN.

ALTHOUGH THE HTS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THESE PROCEEDINGS IS DISPOSITIVE.

4. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED THE FOLLOWING INVESTIGATION NUMBER: UKRAINE (A-823-802). FOR CUSTOMS PURPOSES ONLY THIS CASE HAS BEEN ASSIGNED THE FOLLOWING CASE NUMBER: UKRAINE (A-462-302).

5. PURSUANT TO THE ANTIDUMPING DUTY ORDER, FIELD OFFICES SHALL RELEASE ANY CASH OR BOND DEPOSITS ON URANIUM ENTERED OR WITHDRAWN

FROM WAREHOUSE PRIOR TO AUGUST 30, 1993, AND SUSPEND LIQUIDATION ON ENTRIES, OR WITHDRAWALS FROM WAREHOUSE, FOR CONSUMPTION OF URANIUM FROM UKRAINE ON OR AFTER AUGUST 30, 1993 AND COLLECT A CASH DEPOSIT FOR SUCH ENTRIES IN THE FOLLOWING AMOUNTS:

MANUFACTURER/ PRODUCER/EXPORTER	CUSTOMS ID #	AD VALOREM
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UKRAINE

COUNTRY-WIDE RATE	A-462-302-000	129.29%
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THIS SUSPENSION SHALL REMAIN IN EFFECT UNTIL FURTHER NOTICE.

6. WITH RESPECT TO ENTRIES FROM TAJIKISTAN, FIELD OFFICES SHALL TERMINATE THE SUSPENSION OF LIQUIDATION ON ALL SUCH ENTRIES ENTERED OR WITHDRAWN FROM WAREHOUSE FOR CONSUMPTION BEFORE

AUGUST 25, 1993. ALL ESTIMATED ANTIDUMPING DUTIES DEPOSITED ON SUCH ENTRIES SHALL BE REFUNDED AND THE APPROPRIATE BONDS OR OTHER

SECURITIES POSTED ON THIS MERCHANDISE SHALL BE RELEASED AT THE TIME OF LIQUIDATION.

ALL FUTURE ENTRIES OF URANIUM FROM TAJIKISTAN ARE NOT SUBJECT TO ANTIDUMPING DUTIES AND, THEREFORE, LIQUIDATION SHALL NOT BE

SUSPENDED.

HOWEVER, FOR PURPOSES OF MONITORING THE ON-GOING SUSPENSION AGREEMENTS FROM OTHER CIS COUNTRIES, ENTRIES FROM TAJIKISTAN AND UKRAINE SHALL BE REPORTED TO THE DEPARTMENT THROUGH "HQ OAB" VIA E-MAIL. IN ADDITION, ALL REPORTING REQUIREMENTS AS OUTLINED IN E-MAIL NUMBERS 3350112, 3014114, 3283112, 3288114 ARE STILL TO BE FOLLOWED.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THEY SHOULD BE REFERRED TO THE TRADE COMPLIANCE DIVISION, COUNTERVAILING/DUMPING BRANCH VIA EMAIL TO ATTRIBUTE "HQ OAB". THE IMPORTING PUBLIC AND OTHER INTERESTED PARTIES SHOULD CONTACT LARRY SULLIVAN, IMPORT COMPLIANCE SPECIALIST, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE, OFFICE OF COUNTERVAILING INVESTIGATIONS, PHONE (202) 482-0114.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party